

to the third district, and Patty Shwartz, who is nominated to the third circuit.

Michael Shipp is a highly respected magistrate judge in New Jersey who has an abiding commitment to the rule of law, a deep knowledge of both criminal and civil law, and a long commitment to public service. Patty Shwartz is also a well-respected magistrate judge who has handled over 4,000 civil and criminal cases. Both of these judges deserve immediate consideration. Their qualifications will make them an exceptional addition to the Federal bench in New Jersey, and certainly I offer my strong support to both of them as we move forward in this process.

I hope after tonight's vote—where we expect this extraordinary candidate to be confirmed—we will get the opportunity to do so also for Judge Shipp and Judge Shwartz.

With that, Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Oklahoma.

LAW OF THE SEA TREATY

Mr. INHOFE. Mr. President, I rise for an announcement. At the conclusion of these votes, I will be making what I think is a fairly significant announcement in terms of 35 Members of this body who have stated they will oppose the Law of the Sea Treaty, which, of course, means it would not be able to be passed this session. So I will be doing that immediately following the votes that take place momentarily.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant bill clerk proceeded to call the roll.

Mr. ALEXANDER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

The question is, Will the Senate advise and consent to the nomination of Kevin McNulty, of New Jersey, to be U.S. District Judge for the District of New Jersey?

Mr. ALEXANDER. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The clerk will call the roll.

The assistant bill clerk called the roll.

Mr. SCHUMER (when his name was called). "Present."

Mr. DURBIN. I announce that the Senator from Montana (Mr. TESTER) is necessarily absent.

Mr. KYL. The following Senators are necessarily absent: the Senator from Nevada (Mr. HELLER), the Senator from Illinois (Mr. KIRK), the Senator from Alaska (Ms. MURKOWSKI), and the Senator from Mississippi (Mr. WICKER).

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 91, nays 3, as follows:

[Rollcall Vote No. 178 Ex.]

YEAS—91

Akaka	Feinstein	Merkley
Alexander	Franken	Mikulski
Ayotte	Gillibrand	Moran
Barrasso	Graham	Murray
Baucus	Grassley	Nelson (NE)
Begich	Hagan	Nelson (FL)
Bennet	Harkin	Portman
Bingaman	Hatch	Pryor
Blumenthal	Hoeven	Reed
Blunt	Hutchison	Reid
Boozman	Inhofe	Risch
Boxer	Inouye	Roberts
Brown (MA)	Isakson	Rockefeller
Brown (OH)	Johanns	Rubio
Burr	Johnson (SD)	Sanders
Cantwell	Johnson (WI)	Sessions
Cardin	Kerry	Shaheen
Carper	Klobuchar	Shelby
Casey	Kohl	Snowe
Chambliss	Kyl	Stabenow
Coats	Landrieu	Thune
Coburn	Lautenberg	Toomey
Cochran	Leahy	Udall (CO)
Collins	Levin	Udall (NM)
Conrad	Lieberman	Vitter
Coons	Lugar	Warner
Corker	Manchin	Webb
Cornyn	McCain	Whitehouse
Crapo	McCaskill	Wyden
Durbin	McConnell	
Enzi	Menendez	

NAYS—3

DeMint	Lee	Paul
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ANSWERED "PRESENT"—1

Schumer

NOT VOTING—5

Heller	Murkowski	Wicker
Kirk	Tester	

The nomination was confirmed.

The PRESIDING OFFICER. Under the previous order, the motion to reconsider is considered made and laid upon the table.

The President will be immediately notified of the Senate's action.

LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will resume legislative session.

DISCLOSE ACT OF 2012—MOTION TO PROCEED—Continued

The PRESIDING OFFICER. Under the previous order, there will be 10 minutes of debate equally divided and controlled between the two leaders or their designees.

The Senator from Florida.

Mr. NELSON of Florida. Mr. President, we are going to divide this among five Senators so I will just take a few seconds to say corporations are having a field day because they can put all this money in to influence the political system while at the same time being anonymous. They do not have to disclose what every other donor has to disclose when they make a political contribution.

Are they interested in my State, in the quality of the representation of my State? I think they are interested in their own agenda and buying elections.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Ohio.

Mr. BROWN of Ohio. Mr. President, it is not a shareholder democracy when a \$10 million corporate buy effectively

drowns out the \$5 to \$10 to \$20 donation that represents real people with real concerns. The DISCLOSE Act would make CEOs do what political candidates do—what we all do—when we pay for political advertising: face the camera and tell the voters we sponsored a commercial. Whether we are Democrat or Republican, surely, we wouldn't want to see our political system, our democratic system, become the puppet of a few large corporations with whatever interest they have—oil or big insurance or drug companies or companies that outsource jobs as their specialty.

I yield the floor.

The PRESIDING OFFICER (Mrs. HAGAN). The Senator from New York.

Mr. SCHUMER. Madam President, the most astounding fact that has emerged since the Citizens United decision is that just 17 people have given over half the money to the Republican super PAC. There is very little disclosure, and there are huge amounts of money cascading in from a small few.

My colleagues, whether one is a Democrat or a Republican, we have to admit this is corrosive to our democracy. This gets further away from the idea that each of us has an equal say than anything that has been done in the last 100 years.

I hope my colleagues will join us in this modest measure, which doesn't even limit how much people can give but simply says they have to disclose; they have to tell they are giving. When ads are disclosed, they are less vicious and there is some semblance of truth that has to float around them.

I urge my colleagues, for the good of this country, the sake of our future, to support this modest, truly modest, piece of legislation.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. MERKLEY. Madam President, perhaps the most important three words in our constitution are "We the people." But the whole notion of "We the people" is threatened by oceans of dark secret cash, oceans of cash used as a threat on the front end and as an election hammer on the back end. It is simply destructive to our democracy.

Tonight is the night for some profiles in courage to stand for the American system, for democracy, and for the people.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. WHITEHOUSE. Madam President, in 1822, the Founding Father James Madison wrote:

A popular government without popular information or the means of acquiring it is but a prologue to a farce or a tragedy or perhaps both. Knowledge will forever govern ignorance, and a people who mean to be their own governors must arm themselves with the power knowledge gives.

A vote for DISCLOSE is a vote to arm the people with the power that knowledge gives, to arm them with the popular information about elections—information necessary to prevent this